



U.S. Department  
of Transportation

**Research and  
Special Programs  
Administration**

400 Seventh Street, S.W.  
Washington, D.C. 20590

**FEB - 4 2000**

Mr. John Blaschik, Jr.  
Deputy State Fire Marshal  
Connecticut Department of Public Safety  
Division of Fire, Emergency and Building Services  
P.O. Box 2794  
Middletown, CT 06457-9294

Ref. No. 99-0133

Dear Mr. Blaschik:

This is in response to your letter dated May 20, 1999, requesting clarification on the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) concerning the requirements for marking propane cylinders. Specifically, you ask whether etching/scribing the retest date on propane cylinders is acceptable. I apologize for the delay in responding.

The answer is no. Section 173.34(e) (1)(ii) specifically states: "No cylinder required to be retested by paragraph (e)(1)(i) of this section may be charged or filled with a hazardous material and transported in commerce unless that cylinder has been inspected and retested in accordance with this section and the retester has marked the cylinder by stamping the date of retest, the cylinder retester identification number . . . and any other marking required by this section." Emphasis added. However, we are currently reviewing methods for marking DOT specification cylinders under a notice of proposed rulemaking (NPRM) published on October 30, 1998 [RSPA Docket No. 98-3684(HM-220)]. In the NPRM, we proposed to allow requalification marks to be made by stamping, engraving, scribing or any other method approved in writing by the Associate Administrator for Hazardous Materials Safety. We also solicited comments on methods that should or should not be authorized for applying requalification marks on cylinders. The NPRM and the comments received may be viewed on the Internet by assessing the HazMat Safety Homepage at <http://hazmat.dot.gov>.

I hope this information is helpful. Should you have further questions, please contact us.

Sincerely,

Hattie L. Mitchell, Chief  
Regulatory Review and Reinvention  
Office of Hazardous Materials Standards



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STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC SAFETY  
DIVISION OF FIRE, EMERGENCY AND BUILDING SERVICES  
OFFICE OF STATE FIRE MARSHAL

MA 4102  
§ 173.34

May 20, 1999

Ed Mazzullo, Director  
Office of Hazardous Materials Standards  
Research and Special Programs Administration DHM 10  
U. S. Department of Transportation  
400 Seventh Street, S.W.  
Washington, D.C. 20509

Dear Mr. Mazzullo:

The State of Connecticut, Office of State Fire Marshal received a telephone call on Friday May 14, 1999, from a local LP-Gas Retailer regarding retest markings that were placed on a cylinder that a consumer wanted refilled with propane. The caller stated that the markings on the container were etched and not stamped on the cylinder. The caller was concerned about the markings and refused to refill the containers.

This prompted our office to review the requirements of marking propane cylinders once visual, simple hydrostatic and full hydrostatic tests were performed. The State of Connecticut has adopted NFPA 58 "Liquefied Petroleum Gas Code" dated 1995. Within it's text, the requirements of testing and marking these cylinders reference USDOT Regulations.

After reviewing the USDOT regulations 49CFR §173.34 e (7) (ii), a question regarding whether etching of retest dates on propane cylinders is acceptable. After consulting with Chris Michalski, Hazardous Materials Specialist, USDOT Eastern Region Office of Hazardous Materials Enforcement, he suggested that this office obtain clarification from USDOT.

This office is requesting a written clarification of the following:

**Is etching/scribing an acceptable method of marking propane cylinders, specifically to USDOT Regulations pursuant to 49 CFR §173.34 e (7) (ii), which requires that a retest date be stamped on a cylinder following the visual re-inspection?**

1111 Country Club Road  
P.O. Box 2794  
Middletown, CT 06457-9294  
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Ed Mazzullo, Director  
May 20, 1999  
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Field experience in Connecticut, as I have also learned in other states, indicates etching/scribing may be a common and acceptable method of marking.

A timely response to this issue will be greatly appreciated by this office. If you need further information, please contact me at (860) 685-8380.

Very truly yours,

  
John Blaschik, Jr.  
Deputy State Fire Marshal

cc. Chris Michalski, USDOT  
Mike Morrissey, New England Propane Gas Assoc.

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